

U.S. Serial No. 10/678,830
Filed: October 3, 2003

Examiner: Lee D. Wilson
Art Unit: 3723

REMARKS

Claims 12-16 are currently pending.

New claims 12-16 have been added.

Claims 1-11 have been canceled without prejudice.

The new claims are fully supported by the specification. In this regard the Examiner is directed to page 4, line 25 to page 5, line 8; page 6, lines 1-11; and page 7, lines 1-17.

The Examiner had rejected claims 1-11 under 35 USC 102(b) as being anticipated by Mueller et al (U.S. Patent No. 6,435,947). However Mueller is not an effective 102(b) reference. The patent date of Mueller is August 20, 2002. This application claims priority to a June 17, 2003 filing date. Thus the Mueller patent date is less than 1 year from the effective filing date of this application.

The Examiner also rejected claims 1-2, 6, and 8-10 under 35 U.S.C. 102(e) as being anticipated by Smith et al. (20040203324A1). Further the Examiner rejected claims 1 and 11 under 35 U.S.C. 102(b) as being anticipated by Robinson, et al. (6,090,475) and Suzuki (6,332,832). Lastly, the Examiner rejected claim 2 under 35 U.S.C. 103(a) as being unpatentable over Robinson in view of Suzuki.

The Applicant has proposed new claims that more clearly define the invention. Although new claims are presented, all of the claim elements used in the new claims were present in original claims 1-11. Thus it is believed that no new issues are presented in this regard.

The applicant respectfully suggests that new claims 12-15 distinguish over the cited art for at least the following reasons:

- (1) The cited art neither alone nor in combinations reveals or suggests a CMP pad that comprises an outer surface which is at least 0.05 microns thick and comprises a metal film.

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- (2) The cited art neither alone nor in combination reveals or suggest a metal film deposited by vacuum metallization, sputtering or electroless deposition.
- (3) The cited art neither reveals nor suggests a CMP pad with an outer surface at least 0.05 microns thick comprising a metal film comprising a material selected from the group consisting of copper, copper oxide, tin, tin oxide and combinations for the foregoing.

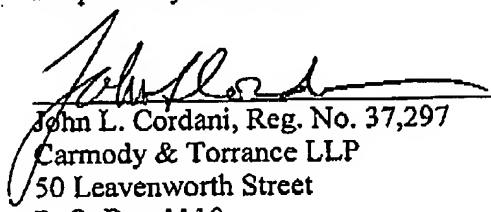
The applicant respectfully suggests that new claim 16 distinguishes over the cited art for at least the following reasons:

- (1) The cited art, neither alone nor in combination, reveals or suggests a CMP pat that comprises an outer surface which is at least 0.05 microns thick which outer surface physical properties are modified by subjecting it to radiation.

CONCLUSION

For all of the foregoing reasons, this application is believed to be in a condition for issuance. If the Examiner perceives of any reason why this application should not be allowed he is respectfully requested to contact the undersigned for a telephonic interview prior to issuance of the next office action.

Respectfully Submitted:


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